

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LUIS ROBLES,

Plaintiff,

-against-

DETECTIVE FRANK LAINO, Shield No. 06418,
SERGEANT WILLIAM LOGAN, DETECTIVE DANIEL
MONCAYO, DETECTIVE ANDREAS JAKLITSCH,
DETECTIVE "JOHN" CANOVAS, P.O. "JOHN" LEWIS,
P.O. SAMUEL CARRASQUILLO, UNDERCOVER
Shield No. 23160, UNDERCOVER Shield No. 11942 and
THE CITY OF NEW YORK,

Defendants.
-----X

**STIPULATION AND
ORDER OF
SETTLEMENT AND
DISCONTINUANCE**

06 CV 6681 (ENV) (JO)

WHEREAS, plaintiff commenced this action by filing a complaint on or about December 19, 2006, and an amended complaint on or about May 22, 2007, alleging that defendants violated his constitutional rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

WHEREAS, plaintiff has authorized counsel to settle this matter as against defendants on the terms enumerated below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. This above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiff Luis Robles the sum of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) in full satisfaction of all claims, inclusive of claims for costs, expenses and attorney's fees. In consideration for the payment of this sum, plaintiff agrees to the dismissal of all claims against the City of New York and all individually named defendants, and to release all defendants and any present or former employees or agents of the City of New York from any and all liability, claims, or rights of action that have or could have been alleged by plaintiff in this action arising out of the events alleged in the complaint in this action, including claims for costs, expenses and attorney's fees.

3. Plaintiff shall execute and deliver to City defendant's attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraph "2" above and an Affidavit of No Liens or an Affidavit Concerning Liens, whichever applies.

4. Nothing contained herein shall be deemed to be an admission by defendants or the City of New York that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written

agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
March 17, 2008

Alan Levine, Esq.
Attorney for Plaintiff
80-02 Kew Gardens Road
Suite 1010
Kew Gardens, NY 11415
(718) 793-6363

By: Alan D. Levine
Alan D. Levine, Esq.

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007
(212) 788-1041

By: Sarah B. Evans
Sarah B. Evans
Assistant Corporation Counsel
3/20/08

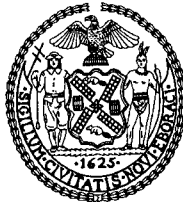
The Clerk is directed to close this case.

SO ORDERED:

MAR 25 2008

s/Eric N. Vitaliano

Eric N. Vitaliano
U.S.D.J.



**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

SARAH B. EVANS
Assistant Corporation Counsel
Tel.: (212) 788-1041
Fax: (212) 788-9776

March 20, 2008

VIA ECF AND HAND DELIVERY

Honorable Eric N. Vitaliano
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Luis Robles v. City of New York, et al., 06 CV 6681 (ENV) (JO)

Your Honor:

Enclosed please find a STIPULATION AND ORDER OF SETTLEMENT AND DISCONTINUANCE which has been executed by the parties in the above-referenced matter. We respectfully request that Your Honor endorse the enclosed STIPULATION.

Thank you for your consideration in this matter.

Respectfully submitted,

Sarah B. Evans
Assistant Corporation Counsel
Special Federal Litigation Division

Enc.

cc: Alan Levine, Esq. (By ECF)
Law Offices of Alan D. Levine
80-02 Kew Gardens Road, Suite 1010
Kew Gardens, NY 11415